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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,898	10/20/2004	Gaetan Offredo	Q83178	6422
23373	7590	07/18/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			COLAN, GIOVANNA B	
		ART UNIT	PAPER NUMBER	
			2162	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/511,898	OFFREDO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Giovanna Colan	2162	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 20 October 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-14 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-14 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 20 October 2004 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/20/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is issued in response to applicant filed application on 10/20/2004.
2. Claims 1 – 14 are pending.
3. The information disclosure statement (IDS) submitted 10/20/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

4. The drawings are objected to because they do not show a legend for clarification of the items. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

**Appropriate correction is required.**

***Specification***

**Content of Specification**

5. Applicant is reminded of the proper content of the specification of the disclosure.

The specification of the application does not include the following sections:

Background of the Invention: See MPEP § 608.01(c).

Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms

the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

**Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f).**

A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.

**Appropriate correction is required.**

***Claim Objections***

6. Claims 1 – 7, and 9 – 14 are objected to because of the following informalities:  
Claims 1 – 7, and 9 – 14 include parenthesis in the claim language.  
Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Claims 3, and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, and 11 discloses; "determine if selected primary identifiers corresponding thereto are present in the secondary data (T2)". It is unclear to the examiner how these primary identifiers, which (according to claim 1 and 9) reside in the first table (T1), also reside in the second table (T2) or how the system will determine if the selected Primary identifiers correspond to T2.

**Appropriate correction is required.**

Any claim not specifically addressed, above, is being rejected as incorporating the deficiencies of a claim upon which it depends.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1 – 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Underwood (US Parent No. 6,704,873 B1, filed July 30, 1999).

Regarding Claim 1, Underwood discloses a data processing device adapted to be installed in a data processing server adapted to receive primary data and to transmit

said primary data after application of dedicated processing based on primary rules by control means, which device is characterized in that it comprises i) a first table (T1) storing sets of at least one primary rule, called "primary metarules", in a parameterizable form and in corresponding relationship to primary identifiers and (Col. 116, lines 47 – 50, Underwood) ii) management means adapted to be coupled to said control means and (Col. 127, lines 58 – 64, management controllers, Underwood), on receipt of auxiliary data representing operating parameters delivered by said control means after reception by the server of secondary data (Col. 137, lines 8 – 11, Underwood<sup>1</sup>), to select at least one of the primary identifiers in the first table (T1) and associate said auxiliary data therewith so as to define said dedicated processes (Col. 139 and 140, lines 47 – 54 and 7 – 10, binding to the current user's information in the Membership Directory; respectively, Underwood).

Regarding Claim 2, Underwood discloses a device, characterized in that it comprises a second table (T2) accessible to said management means in which are stored secondary identifiers in each corresponding relationship to at least one selected primary identifier associated with auxiliary data (Col. 118 and 119, lines 47 – 52 and 51 – 53; respectively, Underwood).

Regarding Claim 3, Underwood discloses a device, characterized in that said management means are adapted, on receipt of said auxiliary data, to determine if

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<sup>1</sup> Wherein information such as the computer name, user name, and password correspond to the auxiliary

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selected primary identifiers corresponding thereto is present in the secondary data (T2) (Col. 140, lines 28 – 37, looks for the two cookies, Underwood), so as to associate therewith new auxiliary data intended to adapt said dedicated processes (Col. 140, lines 41 – 44, if the cookies don't exist the filter then the ISAPI filter creates and binds to a new member in the Membership Directory, Underwood).

Regarding Claim 4, Underwood discloses a device, characterized in that certain selected primary metarules in the second table (T2) are grouped into secondary metarules represented by secondary identifiers (Col. 24 and 283, lines 41 – 42 and 57 – 59, and 9 – 14; respectively, Underwood<sup>2</sup>).

Regarding Claim 5, Underwood discloses a device, characterized in that said management means i) comprise a multiplicity of management submodules each adapted to manage the association of auxiliary data with at least one primary or secondary metarule (Fig. 21A, items 2102 and 2104, Col. 71, lines 51 – 59, Underwood) and ii) are adapted, on receipt of said auxiliary data, to determine which of said management submodules corresponds thereto (Fig. 21A, items 2106 and 2108, Col. 71, lines 59 – 65, Underwood<sup>3</sup>).

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data claimed.

<sup>2</sup> Wherein the generic rule set corresponds to the primary metarules claimed; and the additional access control rules correspond to the secondary metarules claimed.

<sup>3</sup> Wherein the step of identifying a skill set required and determining a current skill set corresponds to the step of determining which management modules corresponds thereto as claimed.

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Regarding Claim 6, Underwood discloses a device, characterized in that said management means are adapted, on receipt of said auxiliary data communicated by the server, to add, delete or modify primary or secondary metarules or auxiliary data in the second table (T2) associated with said primary or secondary metarules (Col. 119, lines 25 – 34, manipulate (insert, update, delete), Underwood).

Regarding Claim 7, Underwood discloses a device, characterized in that said management means and said tables (T1, T2) are part of a metafirewall adapted to manage a firewall equipping said server (Col. 269, lines 11 – 14 and 25 – 28, rules as those governing packet filters and are based on the IP addresses and port numbers of client and server, Underwood).

Regarding Claim 8, Underwood discloses a firewall characterized in that it comprises a device (Col. 270, lines 63 – 67, Underwood).

Regarding Claim 9, Underwood discloses a data processing method consisting in applying dedicated processes based on primary rules to primary data received by a data processing server so that the received primary data is processed before being transmitted by said server, which method is characterized in that it comprises a preliminary step in which i) there are stored in a first table (T1) sets of at least one primary rule, called "primary metarules", in a parameterizable form and in corresponding relationship to primary identifiers (Col. 116, lines 47 – 50, Underwood) and ii) on receipt

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of auxiliary data representing operating parameters delivered by the server after the receipt of secondary data (Col. 137, lines 8 – 11, Underwood<sup>4</sup>), at least one of the primary identifiers in the first table (T1) is selected and said auxiliary data is associated with said primary identifier so as to define said dedicated processes (Col. 139 and 140, lines 47 – 54 and 7 – 10, binding to the current user's information in the Membership Directory; respectively, Underwood).

Regarding Claim 10, Underwood discloses a method, characterized in that, during the preliminary step, secondary identifiers each in corresponding relationship to at least one selected primary identifier associated with auxiliary data are stored in a second table (T2) (Col. 118 and 119, lines 47 – 52 and 51 – 53; respectively, Underwood).

Regarding Claim 11, Underwood discloses a method, characterized in that, on receipt of the auxiliary data, it is determined if selected primary identifiers that correspond to it are present in the second table (T2) (Col. 140, lines 28 – 37, looks for the two cookies, Underwood), so as to associate therewith new auxiliary data adapted to adapt said dedicated processes (Col. 140, lines 41 – 44, if the cookies don't exist the filter then the ISAPI filter creates and binds to a new member in the Membership Directory, Underwood).

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<sup>4</sup> Wherin information such as the computer name, user name, and password correspond to the auxiliary

Regarding Claim 12, Underwood discloses a method, characterized in that certain primary metarules in the second table (T2) are grouped into secondary metarules represented by secondary identifiers (Col. 24 and 283, lines 41 – 42 and 57 – 59, and 9 – 14; respectively, Underwood<sup>5</sup>).

Regarding Claim 13, Underwood discloses a method, characterized in that there are executed in parallel i) the selection of the primary or secondary metarules in the first table (T1) (Col. 139, lines 57 – 62, choose the type of authentication, Underwood) and ii) the modification of the auxiliary data in the second table (T2) associated with the secondary identifier representing the selected primary or secondary metarules (Col. 140, lines 41 – 44, filter creates and binds to a new member, Underwood).

Regarding Claim 14, Underwood discloses a method, characterized in that, on receipt of complementary data communicated by said server, primary or secondary metarules are added to, deleted from or modified in the second table (T2) (Col. 119, lines 25 – 34, manipulate (insert, update, delete), Underwood).

***Prior Art Made Of Record***

1. Underwood (US Parent No. 6,704,873 B1, filed July 30, 1999) discloses a secure gateway interconnection in an e-commerce based environment.
2. Underwood (US Patent No. 6,718,535 B1) discloses a system, method and article of manufacture for an activity framework design in an e-commerce based environment.
3. Liu et al. (US Patent No. 6,839,680 B1) discloses an Internet Profiling.

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<sup>5</sup> Wherein the generic rule set corresponds to the primary metarules claimed; and the additional access control rules correspond to the secondary metarules claimed.

***Points Of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna Colan whose telephone number is (571) 272-2752. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Giovanna Colan  
Examiner  
Art Unit 2162  
July 3, 2006

*S. Colan* *A. Hershov*